UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/CN.4/1999/NGO/78
5 March 1999

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Fifty-fifth session
Items 15 and 17 (d) of
the provisional agenda

INDIGENOUS ISSUES

PROMOTION AND PROTECTION OF HUMAN RIGHTS: SCIENCE AND ENVIRONMENT

Written statement submitted by the International Indian Treaty Council, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement, which is circulated in accordance with Economic and Social Council resolution 1996/31.

[28 January 1999]

GE.99-11228 (E)

1. Indigenous peoples from around the world are currently involved in critical international discussions with States and within international treaty-making processes regarding the causes, impacts and solutions of the growing crisis of global climate change as well as the dispersion of persistent organic pollutants (POPs).

2. Indigenous peoples' day-to-day survival is based upon their subsistence ways of life in close relationship to the ecosystems where they have traditionally hunted, fished, farmed and gathered for their survival. The cumulative effects of global climate change and the proliferation of POPs in the air, waters, food chains and human tissues have begun to have a devastating impact on indigenous communities. Indigenous peoples' traditional interdependence and spiritual relationship with their natural surroundings provide them with acute and immediate awareness of the growing impacts on plants, animals, water quality and human health.

3. The extent of the pending crisis has been clearly identified by Western scientists as well as by indigenous traditional teachings. Indigenous peoples are beginning to make their voices heard in response to these critical threats to their ways of life and the survival of all living things. For example, on 25 January 1999 at the second session of the Intergovernmental Negotiations Committee on POPs in Nairobi, the following statement was made by a representative of the Indigenous Environmental Network (IEN). IEN is based in aboriginal lands in what is now the United States, with over 200 affiliated indigenous organizations, traditional societies and tribal sovereign governments from the United States and Canada, as well as Mexico and Central and South America:

> "During the past two years, our organization has directly consulted with approximately 1,500 indigenous peoples on the serious issue of the impact of persistent organic pollutants (POPs) upon our communities, our villages, our environment.
>
> "We are discovering that our indigenous peoples, from the farming villages of the south to the villages of the Arctic north, are being disproportionately impacted by POPs contamination. Our indigenous peoples are at higher risk of POPs exposure due to our land-based and subsistence cultures.
>
> "Within the Great Lakes water basin that includes the political transboundaries of the United States and Canada, there have been marked increases in cancer, birth defects, diabetes and immunological-based disorders (e.g. allergies and asthma). Indigenous peoples within the Great Lakes have reported residues of certain chemical contaminants in their tissue. Residues of these chemicals, such as PCBs, DDT, and dioxin, are stockpiled in the blood, fat, and mothers' breast milk of our indigenous women - who are the first environment of our peoples. POPs remain stockpiled in the sedimentation of riverbeds, on the land and bodies of our habitat, often without adequate remediation.
>
> "In Sonora, Mexico, high levels of multiple pesticides were found in the cord blood of newborns and in breast milk of the indigenous Yaqui farmers.

"Persistent organic pollutants affect the traditional cultural and religious practices of indigenous peoples throughout the world. The continued production, release and use of POPs affect our right to maintain a sustainable and subsistence way of life. POPs chemicals affects our right to fish, to hunt, and to gather within environments that are clean. In many areas of North America we do not have access to chemical-free plants that we use for healing our families. We have women basketweavers who are contaminated from persistent toxic substances. This situation reflects indigenous peoples issues throughout the world.

"National and international policies that prevent indigenous peoples from practising their cultural and religious rights become religious intolerance that violates basic principles of human rights. Fundamental human rights demand the right for all people throughout the world to live in a safe and healthy environment free from disproportionate toxic burdens and discriminatory treatment. Yes, this is a life-and-death situation - not only for indigenous peoples, but for all people, all races, all nationalities, and for the biodiversity of the planet."

4. From 28 October to 1 November 1999 indigenous peoples of the Turtle Island (North America) gathered for the "Circles of Wisdom" Native Peoples/Native Homelands Climate Change Workshop in Albuquerque, New Mexico, within what is known as the United States. The indigenous peoples of North America sent over 180 delegates to share ideas on the impact of climate change and climate variability on indigenous peoples and all life on Mother Earth. This historic gathering enabled a meeting between the indigenous elders, government representatives, environmentalists, educators, community leaders and United States scientists involved in identifying the impacts of climate change. The gathering provided teaching and a reminder to the scientists working on climate change issues that these things were foreseen and that global warming is being caused by unsustainable technologies and developments throughout the world.

5. The indigenous participants in the gathering adopted the Albuquerque Declararation on Climate Change, excerpted below. The Declaration was submitted for consideration at the Fourth Conference of the Parties of the United Nations Framework Convention on Climate Change held in Buenos Aires, Argentina, from 2 to 13 November 1998.

Alburqueque Declaration on Climate Change

(excerpts)

A growing body of western scientific evidence now suggests what indigenous peoples have expressed for a long time: life as we know it is in danger. We can no longer afford to ignore the consequences of this evidence.

There is a direct relationship between the denial of indigenous peoples' land and water rights, along with the appropriation without consent of indigneous peoples' natural resources, and the causes of global climate change

today. Examples include deforestation, contamination of land and water by pesticides and industrial waste, toxic and radioactive poisoning, military and mining impacts.

In June 1997, more than 2,000 U.S. scientists, from over 150 countries, including Nobel laureates, signed the Scientists' Statement on Global Climate Disruption which reads, in part, the "accumulation of greenhouses gases commits the sacred earth irreversibly to further global climate change and consequent ecological, economic, social and spiritual disruption" (Intergovernmental Panel on Climate Change, December 1995). Climate imbalance will cause the greatest suffering to the idigenous peoples and most pristine ecosystems globally.

Within the next 20 years, temperatures over land areas of North America, Europe and northern Asia will increase as much as 5 to 15 degrees Fahrenheit over today's normal temperatures, well in excess of the global average (IPCC report 1998). This increase in temperature will cause the sea level to rise (5-25 feet over the next 500 years), drying out North America's soil moisture (20-50%), and result in major increases in the summer heat index (10-15 degrees F).

The burning of oil, gas, and coal ("fossil fuels") is the primary source of human-induced climate change (...) The mining and drilling for coal, oil, and gas, as well as other mineral extractions results in substantial local environmental consequences, including severe degradation of air, forests, rivers, oceans and farmlands. Cultural impacts, forced removal, land appropriation, destruction of sacred and historically significant areas, breakdown of indigenous social systems, and violence against women and children are too often the outcomes of fossil fuel development on indigenous peoples. Fossil fuel extraction areas are home to some of Mother Earth's last and most vulnerable indigenous populations, resulting in accelerated losses of biodiversity, traditional knowledge, and ultimately in ethnocide and genocide.

We request that the potential consequences of climate imbalance for indigenous peoples and our environments, economies, culture, place and role in the natural order be addressed by:

1. Establishing and funding an inter-sessional open-ended working group for indigenous peoples within the Conference of the Parties (COPs) of the United Nations Framework Convention on Climate Change (FCCC).

2. Providing for case studies within the framework of FCCC that would allow for assessing how climate changes affect indigenous peoples and local communities in different regions; assessing the impact of climate changes on flora and fauna, freshwater and oceans, forestry, traditional agricultural practices, medicinal plants and other biodiversity that impact subsistence and land-based cultures of indigenous peoples; and other case studies that would provide a clearer understanding of all effects and impacts of climate change and warming upon indigenous peoples and local communities.

3. Acknowledging that indigenous peoples have the right, responsibility and expertise to participate as equal partners at every level of

decision-making, including needs assessments and case studies, within national and international policy-making activities concerning climate change impacts, their causes and solutions.

4. Establishing, within the FCCC, protocols that would actively promote international energy-efficient and sustainable forms of development, including the widespread use of appropriately scaled solar energy and renewable energy technologies as well as models of sustainable agricultural and forestry practice.

5. Mandating a moratorium on new exploration and projects for extraction of fossil fuel reserves in pristine areas. Exploration and development in the traditional territories of indigenous peoples of the world must be done with the full consent of indigenous peoples, respecting their right to decline a project that may adversely impact them.

6. Imposing a legally binding obligation to restore all areas already affected by oil, gas, and coal exploration and exploitation by the corporations or public entities that are responsible. This restoration must be done such that indigenous peoples can continue traditional uses of their lands.